

BELL
Appl. No. 10/827,417
September 22, 2006



AMENDMENTS TO THE DRAWINGS

The attached sheets of drawings include Figs. 1-2. In accordance with the Examiner's request, these sheets replace the original sheets that included Figs. 1-2.

Attachment: Replacement Sheets

BELL
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REMARKS

With the entry of the foregoing amendments, claims 15, 17-24 and 28-31 are pending in this application. Favorable consideration is requested.

Claim 15 has been amended to insert the subject matter from step (c) of claim 24. Claim 16 has been cancelled without prejudice, based on the helpful observations of the Examiner. Claim 24 has been amended to incorporate the subject matter of claim 25. Claim 25 has been cancelled without prejudice. Claim 28 has been amended to incorporate the subject matter of claim 32. Claim 32 has been cancelled without prejudice. No new matter has been added by the claim amendments.

Turning to the Office Action, the drawings stand objected to because of a labeling issue. In response, applicant submits replacement sheets of the drawings to address the issue.

Claim 15 stands rejected and provisionally rejected on the grounds of non-statutory obviousness-type double patenting. In response, applicant is concurrently filing Terminal Disclaimers, which render moot the double patenting rejections.

Claim 16 stands objected as allegedly being duplicative of subject matter contained in claim 15. Claim 16 has been cancelled without prejudice.

Claims 15-19, 22-23 and 28-30 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by WO 99/40250 issued to Chen et al. Although applicant does not agree with the alleged anticipatory rejection, claim 15 has been amended to incorporate the further inventive feature concerning the heating of the first material to a temperature enabling the first material to flow and that is nowhere disclosed in Chen. Chen merely concerns the use of a powder being applied in a dry form. Thus, the rejection is now moot.

BELL
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Claim 24 stands rejected under 35 U.S.C. 102(b) as allegedly being anticipated by JP 60-206868 issued to Moryama et al. Although applicant does not agree with the anticipatory contentions in the Office Action, claim 24 has been amended to incorporate the additional distinguishing features of claim 25, which renders the rejection moot.

Claims 21 and 31 stand rejected under 35 U.S.C. 103(a) as allegedly being obvious over the cited Chen reference. Although applicant does not agree with the obviousness contention concerning claim 21, applicant notes that claim 21 depends from claim 20, which requires a “molten form.” Chen nowhere discloses or suggests a “molten form” as claimed. In addition, Chen does not disclose or suggest heating the first material to a temperature enabling the first material to flow as set forth in claim 15 from which claim 21 also depends. Thus, applicant respectfully requests the withdrawal of the rejection of claim 21 based upon Chen.

With respect to the obviousness rejection of claim 31, applicant similarly requests the withdrawal of that rejection because claim 31 depends from claim 28 that utilizes the “molten” feature that is nowhere disclosed or suggested in Chen.

Claims 15-23, 25 and 28-32 stand rejected under 35 U.S.C. 103(a) as allegedly being obvious over Moryama in view of Chen. Although applicant disagrees with the obviousness contentions set forth in the Office Action, applicant notes that the rejection is now moot with respect to claims 15-23 and 25 because of the foregoing amendments and remarks. More specifically, the rejected claims include features from claim 24 that is not rejected.

Applicant also traverses the rejection with respect to claims 28-32 (now claims 28-31) because, among other things, the cited references either individually or in any reasonable combination do not disclose combining the waste carpeting in a molten resin, nor doing so in the

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particular claimed methods. Thus, applicant respectfully requests the withdrawal of the obviousness rejection of claims 28-31.

In view of the foregoing amendments and remarks, and the concurrently filed Terminal Disclaimers, applicant submits that this application is in condition for allowance. A notice to that effect is earnestly solicited.

If the examiner has any questions concerning this case, the undersigned may be contacted at 703-816-4009.

Respectfully submitted,

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By:



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